



General Assembly

February Session, 2012

***Raised Bill No. 248***

LCO No. 1171

\*01171\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING PROBATE FEES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 45a-105 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective January 1, 2013*):

3 The [costs] fees charged by courts of probate shall be uniform for all  
4 of the probate districts established by law. [Costs] Fees shall be  
5 assessed in accordance with sections 45a-106 to 45a-112, inclusive, as  
6 amended by this act.

7 Sec. 2. Section 45a-106 of the general statutes is repealed and the  
8 following is substituted in lieu thereof (*Effective January 1, 2013*):

9 The basic [costs] fees payable to courts of probate for any  
10 proceeding other than in connection with the settlement of the estate of  
11 a deceased person or periodic accounts of trustees, guardians,  
12 conservators or other fiduciaries shall be as follows:

13 (1) Except for such proceedings for which basic [costs] fees are  
14 specified in subdivision [(7) or (8)] (4), (5) or (6) of this section or are

15 otherwise specified or exempted in section 45a-111, as amended by this  
16 act, or elsewhere in the general statutes, there shall be payable to the  
17 Court of Probate with respect to each application, petition or motion  
18 filed with the court to commence a matter before it, an entry fee of one  
19 hundred fifty dollars which shall be paid by the person making the  
20 application, petition or motion.

21 (2) On each matter commenced by the court on its own motion, an  
22 entry fee of one hundred fifty dollars shall be payable by an interested  
23 party as determined by the court.

24 [(3) If more than one hearing is held in any matter so entered, an  
25 additional charge of twenty-five dollars shall be payable to the court  
26 by the party paying the entry fee in the matter, or, in the discretion of  
27 the court, by any interested party against whom the court shall assess  
28 such additional charge.

29 (4) If the total time of any one hearing in the matter exceeds one  
30 hour, an additional charge of twenty-five dollars per hour for each  
31 hour in excess of the first hour shall be payable to the court by the  
32 party paying the entry fee in the matter, or, in the discretion of the  
33 court, by any interested party against whom the court shall assess the  
34 additional charge, provided the additional charge shall not exceed  
35 three hundred dollars.]

36 [(5)] (3) For purposes of establishing [charges] fees payable to courts  
37 of probate [hereunder] under this section, all applications, petitions  
38 and motions filed and proceedings thereunder, in connection with a  
39 matter which has been entered as above, which are necessary to enter a  
40 final decree in and are incidental to the action of the court being sought  
41 in the matter so entered shall be covered by the entry fee and by any  
42 additional [charge] fee or expense under [subdivisions (3) and (4)]  
43 subdivision (6) of this section that may have become payable in such  
44 matter. No additional [charges] fees under this section shall be [made]  
45 charged for any such incidental applications, petitions or motions,  
46 [provided] except that once a final decree is entered in any matter and,

47 thereafter, additional action or actions are sought in the court in  
48 connection therewith, such additional action or actions shall be treated  
49 as a new matter [hereunder] under this section.

50 [(6)] (4) For proceedings brought under section 46b-30, the [cost] fee  
51 shall be twenty-five dollars.

52 [(7)] (5) For filing a will in the Probate Court, the [cost] fee shall be  
53 five dollars. For filing any other document in the probate court under  
54 the provisions of any statute if the court is not required to take any  
55 action, the [cost] fee shall be twenty-five dollars, in addition to any  
56 applicable recording [charge] fee. [The cost] Any fee under this  
57 subdivision shall be payable by the person filing such will or  
58 document.

59 [(8)] (6) A [charge] fee of fifty dollars, plus the actual [costs]  
60 expenses of rescheduling the adjourned hearing that are payable under  
61 section 45a-109, as amended by this act, shall be payable to the court  
62 by any party who requests an adjournment of a scheduled hearing or  
63 whose failure to appear necessitates an adjournment, [provided]  
64 except that the court, for cause shown, may waive either the [charge]  
65 fifty-dollar fee or [the costs] the actual expenses of rescheduling the  
66 adjourned hearing, or both.

67 Sec. 3. Section 45a-107 of the 2012 supplement to the general statutes  
68 is repealed and the following is substituted in lieu thereof (*Effective*  
69 *January 1, 2013*):

70 (a) The basic [costs] fees for all proceedings in the settlement of the  
71 estate of any deceased person, including succession and estate tax  
72 proceedings, shall be in accordance with the provisions of this section.

73 (b) For estates in which proceedings were commenced on or after  
74 January 1, 2011, [costs] fees shall be computed as follows:

75 (1) The basis for [costs] fees shall be (A) the greatest of (i) the gross  
76 estate for succession tax purposes, as provided in section 12-349, (ii)

77 the inventory, including all supplements thereto, (iii) the Connecticut  
 78 taxable estate, as defined in section 12-391, or (iv) the gross estate for  
 79 estate tax purposes, as provided in chapters 217 and 218, except as  
 80 provided in subdivisions [(4) and] (5) and (6) of this subsection, plus  
 81 (B) all damages recovered for injuries resulting in death, minus any  
 82 hospital and medical expenses for treatment of such injuries resulting  
 83 in death, minus any hospital and medical expenses for treatment of  
 84 such injuries that are not reimbursable by medical insurance, and  
 85 minus the attorney's fees and other [costs and] expenses of recovering  
 86 such damages. Any portion of the basis for [costs] fees that is  
 87 determined by property passing to the surviving spouse shall be  
 88 reduced by fifty per cent. Except as provided in [subdivision (3)]  
 89 subdivisions (3) and (4) of this subsection, in no case shall the  
 90 minimum [cost] fee be less than twenty-five dollars.

91 (2) Except as provided in [subdivision] subdivisions (3) and (4) of  
 92 this subsection, [costs] fees shall be assessed in accordance with the  
 93 following table:

T1	Basis for Computation	
T2	Of [Costs] <u>Fees</u>	Total [Cost] <u>Fee</u>
T3	0 to \$500	\$25
T4	\$501 to \$1,000	\$50
T5	\$1,000 to \$10,000	\$50, plus 1% of all
T6		in excess of \$1,000
T7	\$10,000 to \$500,000	\$150, plus .35% of all
T8		in excess of \$10,000
T9	\$500,000 to \$4,754,000	\$1,865, plus .25% of all
T10		in excess of \$500,000
T11	\$4,754,000 and over	\$12,500

94 (3) Notwithstanding the provisions of subdivision (1) of this  
 95 subsection, if the basis for [costs] fees is less than ten thousand dollars  
 96 and a full estate is opened, the minimum [cost] fee shall be one

97     hundred fifty dollars.

98         (4) In any matter in which the Commissioner of Administrative  
99         Services is the legal representative of the estate pursuant to section 4a-  
100         16, the fee shall be the lesser of (A) the amount calculated under  
101         subdivisions (1) and (2) of this subsection, or (B) the amount collected  
102         by the Commissioner of Administrative Services after paying the  
103         expense of funeral and burial in accordance with section 17b-84.

104         ~~[(4)]~~ (5) In the case of a deceased person who was domiciled in this  
105         state on the date of his or her death, the gross estate for estate tax  
106         purposes shall, for the purpose of determining the basis for ~~[costs]~~ fees  
107         pursuant to subdivision (1) of this subsection, be reduced by the fair  
108         market value of any real property or tangible personal property of the  
109         deceased person situated outside of this state.

110         ~~[(5)]~~ (6) In the case of a deceased person who was not domiciled in  
111         this state on the date of his or her death but who owned real property  
112         or tangible personal property situated in this state on the date of his or  
113         her death, only the fair market value of such real property or tangible  
114         personal property situated in this state shall be included in the basis  
115         for ~~[costs]~~ fees pursuant to subdivision (1) of this subsection.

116         (c) For estates in which proceedings were commenced on or after  
117         April 1, 1998, and prior to January 1, 2011, ~~[costs]~~ fees shall be  
118         computed as follows:

119         (1) The basis for ~~[costs]~~ fees shall be (A) the gross estate for  
120         succession tax purposes, as provided in section 12-349, the inventory,  
121         including all supplements thereto, the Connecticut taxable estate, as  
122         defined in section 12-391, or the gross estate for estate tax purposes, as  
123         provided in chapters 217 and 218, whichever is greater, plus (B) all  
124         damages recovered for injuries resulting in death, minus any hospital  
125         and medical expenses for treatment of such injuries resulting in death,  
126         minus any hospital and medical expenses for treatment of such injuries  
127         that are not reimbursable by medical insurance and minus the

128 attorney's fees and other [costs and] expenses of recovering such  
 129 damages. Any portion of the basis for [costs] fees that is determined by  
 130 property passing to the surviving spouse shall be reduced by fifty per  
 131 cent. Except as provided in subdivision (3) of this subsection, in no  
 132 case shall the minimum [cost] fee be less than twenty-five dollars.

133 (2) Except as provided in subdivisions (3) and (4) of this subsection,  
 134 [costs] fees shall be assessed in accordance with the following table:

T12	Basis for Computation	
T13	Of [Costs] <u>Fees</u>	Total [Cost] <u>Fee</u>
T14	0 to \$500	\$25
T15	\$501 to \$1,000	\$50
T16	\$1,000 to \$10,000	\$50, plus 1% of all
T17		in excess of \$1,000
T18	\$10,000 to \$500,000	\$150, plus .35% of all
T19		in excess of \$10,000
T20	\$500,000 to \$4,754,000	\$1,865, plus .25% of all
T21		in excess of \$500,000
T22	\$4,754,000 and over	\$12,500

135 (3) Notwithstanding the provisions of subdivision (1) of this  
 136 subsection, if the basis for [costs] fees is less than ten thousand dollars  
 137 and a full estate is opened, the minimum [cost] fee shall be one  
 138 hundred fifty dollars.

139 (4) In estates where the gross taxable estate is less than six hundred  
 140 thousand dollars, in which no succession tax return is required to be  
 141 filed, a probate fee of .1 per cent shall be charged against non-solely-  
 142 owned real estate, in addition to any other fees computed under this  
 143 section.

144 (d) For estates in which proceedings were commenced on or after  
 145 July 1, 1993, and prior to April 1, 1998, costs shall be computed as  
 146 follows:

147 (1) The basis for costs shall be: (A) The gross estate for succession  
 148 tax purposes, as provided in section 12-349, or the inventory, including  
 149 all supplements thereto, whichever is greater, plus (B) all damages  
 150 recovered for injuries resulting in death minus any hospital and  
 151 medical expenses for treatment of such injuries that are not  
 152 reimbursable by medical insurance and minus the attorney's fees and  
 153 other costs and expenses of recovering such damages. Any portion of  
 154 the basis for costs that is determined by property passing to the  
 155 surviving spouse shall be reduced by fifty per cent. Except as provided  
 156 in subdivision (3) of this subsection, in no case shall the minimum cost  
 157 be less than ten dollars.

158 (2) Except as provided in subdivision (3) of this subsection, costs  
 159 shall be assessed in accordance with the following table:

T23	Basis for Computation	
T24	Of Costs	Total Cost
T25	0 to \$1,000	\$10.00
T26	\$1,000 to \$10,000	\$10, plus 1% of all
T27		in excess of \$1,000
T28	\$10,000 to \$500,000	\$100, plus .30% of all
T29		in excess of \$10,000
T30	\$500,000 to \$4,715,000	\$1,570, plus .20% of all
T31		in excess of \$500,000
T32	\$4,715,000 and over	\$10,000

160 (3) If the basis for costs is less than ten thousand dollars and a full  
 161 estate is opened, the minimum cost shall be one hundred dollars.

162 (e) For estates in which proceedings were commenced on or after  
 163 July 1, 1983, and prior to July 1, 1993, costs shall be computed as  
 164 follows:

165 (1) The basis for costs shall be: (A) The gross estate for succession  
 166 tax purposes, as provided in section 12-349, minus one-third of the first

167 fifty thousand dollars of any part of the gross estate for succession tax  
 168 purposes that passes other than by will or under the laws of intestacy,  
 169 plus (B) all damages recovered for injuries resulting in death minus  
 170 any hospital and medical expenses for treatment of such injuries that  
 171 are not reimbursable by medical insurance and minus the attorney's  
 172 fees and other costs and expenses of recovering such damages.

173 (2) Costs shall be assessed in accordance with the following table:

T33	Basis for Computation	
T34	Of Costs	Total Cost
T35	0 to \$1,000	\$10.00
T36	\$1,000 to \$10,000	\$10, plus 1% of all
T37		in excess of \$1,000
T38	\$10,000 to \$100,000	\$100, plus .30% of all
T39		in excess of \$10,000
T40	\$100,000 to \$200,000	\$370, plus .25% of all
T41		in excess of \$100,000
T42	\$200,000 to \$500,000	\$620, plus .2% of all
T43		in excess of \$200,000
T44	\$500,000 to \$1,000,000	\$1,220, plus .15% of all
T45		in excess of \$500,000
T46	\$1,000,000 to \$5,000,000	\$1,970, plus .125% of all
T47		in excess of \$1,000,000
T48	\$5,000,000 and over	\$6,970, plus .1% of all
T49		in excess of \$5,000,000

174 (f) For estates in which proceedings were commenced prior to July  
 175 1, 1983, costs shall be computed as follows:

T50	With respect to any	Costs computed under:
T51	estate in which any	
T52	proceedings were	
T53	commenced or succession	



T54	tax documents filed:	
T55	Prior to January 1, 1968	Section 45-17 of the
T56		1961 supplement to
T57		the general statutes
T58	Prior to July 1, 1969, but	Section 45-17a of the
T59	on or after January 1, 1968	1967 supplement to
T60		the general statutes
T61	Prior to July 1, 1978, but	Section 45-17a of the
T62	on or after July 1, 1969	1969 supplement to
T63		the general statutes
T64	Prior to July 1, 1983, but	Section 45-17a of the
T65	on or after July 1, 1978	general statutes,
T66		revised to
T67		January 1, 1983

176        [(g) If more than one hearing is held in any matter under this  
 177 section, an additional charge of twenty-five dollars shall be payable to  
 178 the court by the estate, or, in the discretion of the court, by any  
 179 interested party against whom the court shall assess such additional  
 180 charge.

181        (h) If the total time of any one hearing in the matter exceeds one  
 182 hour, an additional charge of twenty-five dollars per hour for each  
 183 hour in excess of the first hour shall be payable to the court by the  
 184 estate, or at the discretion of the court by any interested party against  
 185 whom the court shall assess the additional charge, provided the  
 186 additional charge shall not exceed three hundred dollars.]

187        [(i)] (g) A [charge] fee of fifty dollars shall be payable to the court by  
 188 any creditor applying to the Court of Probate pursuant to section 45a-  
 189 364 or 45a-401 for consideration of a claim. If such claim is allowed by  
 190 the court, the court may order the fiduciary to reimburse the [charge]  
 191 amount of such fee from the estate.

192        [(j)] (h) A [charge] fee of fifty dollars, plus the actual [costs]

193 expenses of rescheduling the adjourned hearing that are payable under  
 194 section 45a-109, as amended by this act, shall be payable to the court  
 195 by any party who requests an adjournment of a scheduled hearing or  
 196 whose failure to appear necessitates an adjournment, [provided]  
 197 except that the court, for cause shown, may waive either the [charge  
 198 and costs for cause shown] fifty-dollar fee or the actual expenses of  
 199 rescheduling the adjourned hearing, or both.

200 [(k)] (i) In no event shall any fee exceed ten thousand dollars for any  
 201 estate in which proceedings were commenced prior to April 1, 1998,  
 202 and twelve thousand five hundred dollars for any estate in which  
 203 proceedings were commenced on or after April 1, 1998.

204 [(l)] (j) In the case of decedents who die on or after January 1, 2011:

205 (1) Any [costs] fees assessed under this section that are not paid  
 206 within thirty days of the date of an invoice from the court of probate  
 207 shall bear interest at the rate of one-half of one per cent per month or  
 208 portion thereof until paid;

209 (2) If a tax return or a copy of a tax return required under  
 210 subparagraph (D) of subdivision (3) of subsection (b) of section 12-392  
 211 is not filed with a court of probate by the due date for such return or  
 212 copy under subdivision (1) of subsection (b) of section 12-392 or by the  
 213 date an extension under subdivision (4) of subsection (b) of section 12-  
 214 392 expires, the [costs] fees that would have been due under this  
 215 section if such return or copy had been filed by such due date or  
 216 expiration date shall bear interest at the rate of one-half of one per cent  
 217 per month or portion thereof from the date that is thirty days after  
 218 such due date or expiration date, whichever is later, until paid. If a  
 219 return or copy is filed with a court of probate on or before such due  
 220 date or expiration date, whichever is later, the [costs] fees assessed  
 221 shall bear interest as provided in subdivision (1) of this subsection;

222 (3) A court of probate may extend the time for payment of any  
 223 [costs] fees under this section, including interest, if it appears to the

224 court that requiring payment by such due date or expiration date  
 225 would cause undue hardship. No additional interest shall accrue  
 226 during the period of such extension. A court of probate may not waive  
 227 interest outside of any extension period;

228 (4) The interest requirements in subdivisions (1) and (2) of this  
 229 subsection shall not apply if:

230 (A) The basis for [costs] fees for the estate does not exceed forty  
 231 thousand dollars; or

232 (B) The basis for [costs] fees for the estate does not exceed five  
 233 hundred thousand dollars and any portion of the property included in  
 234 the basis for [costs] fees passes to a surviving spouse.

235 Sec. 4. Section 45a-108 of the general statutes is repealed and the  
 236 following is substituted in lieu thereof (*Effective January 1, 2013*):

237 (a) (1) Except with respect to a decedent's estate, the basic [costs]  
 238 fees for all proceedings in connection with allowance and settlement of  
 239 a periodic or other account, after notice and hearing, regardless of the  
 240 date of origin of the estate in which such account is filed, shall be in  
 241 accordance with the following schedule:

T68	If the book value or market value or	[Cost] <u>Fee</u>
T69	receipts, whichever is larger, is:	
T70	Less than \$25,000	\$50.00
T71	\$25,000 to \$375,000	.20% thereof
T72	\$375,000 and over	\$750.00

242 (2) If more than one account is the subject of a hearing, the [charges]  
 243 fees shall be based on the values in the most recent account being  
 244 heard.

245 [(b) If more than one hearing is held in any matter under this  
 246 section, an additional charge of twenty-five dollars shall be payable to

247 the court by the moving party, or, in the discretion of the court, by any  
248 interested party against whom the court shall assess such additional  
249 charge.

250 (c) If the total time of any one hearing in the matter exceeds one  
251 hour, an additional charge of twenty-five dollars per hour for each  
252 hour in excess of the first hour shall be payable to the court by the  
253 moving party, or in the discretion of the court, by any interested party  
254 against whom the court shall assess the additional charge, provided  
255 the additional charge shall not exceed three hundred dollars.]

256 [(d)] (b) A [charge] fee of fifty dollars, plus the actual [costs]  
257 expenses of rescheduling the adjourned hearing that are payable under  
258 section 45a-109, as amended by this act, shall be payable to the court  
259 by any party who requests an adjournment of a scheduled hearing or  
260 whose failure to appear necessitates an adjournment, [provided]  
261 except that the court, for cause shown, may waive either the [charge  
262 and costs for cause shown] fifty-dollar fee or the actual expenses of  
263 rescheduling the adjourned hearing, or both.

264 Sec. 5. Section 45a-109 of the 2012 supplement to the general statutes  
265 is repealed and the following is substituted in lieu thereof (*Effective*  
266 *January 1, 2013*):

267 In addition to the [basic charges and costs] fees specified in sections  
268 45a-106 to 45a-108, inclusive, as amended by this act, the following  
269 expenses shall be payable to the courts of probate: (1) For recording  
270 each page or fraction thereof after the first five pages of any one  
271 document, three dollars; (2) for each notice in excess of two with  
272 respect to any hearing or continued hearing, two dollars; (3) for any  
273 expenses incurred by the court of probate for newspaper publication of  
274 notices, certified or registered mailing of notices, or for service of  
275 process or notice, the actual amount of the expenses so incurred; (4) for  
276 providing copies of any document from a file in the court of any  
277 matter within the jurisdiction of the court, five dollars for a copy of any  
278 such document up to five pages in length and one dollar per copy for

279 each additional page or fractional part thereof as the case may be,  
 280 [provided] except that there shall be furnished without charge to the  
 281 fiduciary or if none, to the petitioner with respect to any probate  
 282 matter one uncertified copy of each decree, certificate or other court  
 283 order setting forth the action of the court on any proceeding in such  
 284 matter; (5) for certifying copies of any document from a file in the  
 285 court of any matter before the court, five dollars per each copy certified  
 286 for the first two pages of a document, and two dollars for each copy  
 287 certified for each page after the second page of such document,  
 288 [provided] except that no charge shall be made for any copy certified  
 289 or otherwise that the court is required by statute to make; (6) for  
 290 retrieval of a file not located on the premises of the court, the actual  
 291 [cost] expense or ten dollars, whichever is greater; [and] (7) for copying  
 292 probate records through the use of a hand-held scanner, as defined in  
 293 section 1-212, twenty dollars per day; and (8) for providing a digital  
 294 copy of an audio recording of a hearing, twenty-five dollars.

295 Sec. 6. Section 45a-110 of the general statutes is repealed and the  
 296 following is substituted in lieu thereof (*Effective January 1, 2013*):

297 (a) The [costs, fees, charges] fees and expenses provided for in  
 298 connection with proceedings under section 45a-107, as amended by  
 299 this act, with respect to a decedent's estate shall be paid for by the  
 300 executor or administrator, or if there is no such fiduciary, by the  
 301 transferee filing the succession tax return under section 12-359 or a tax  
 302 return under section 12-392.

303 (b) The [costs, fees, charges] fees and expenses provided for in  
 304 connection with proceedings under section 45a-108, as amended by  
 305 this act, with respect to an accounting shall be paid by the trustee,  
 306 guardian, conservator or other fiduciary.

307 (c) In the case of any proceeding under sections 45a-106 to 45a-112,  
 308 inclusive, as amended by this act, commenced on motion of the court  
 309 such [costs, fees, charges] fees and expenses shall be paid by the party  
 310 against whom such [costs] fees and expenses are assessed by the court.

311 (d) In all other cases, the petitioner shall pay the [costs, fees,  
312 charges] fees and expenses provided for by sections 45a-106 to 45a-112,  
313 inclusive, as amended by this act, unless otherwise provided by law.

314 Sec. 7. Section 45a-111 of the general statutes is repealed and the  
315 following is substituted in lieu thereof (*Effective January 1, 2013*):

316 (a) No [cost] fee or expense shall be charged for any proceedings in  
317 the settlement of the estate of any member of the armed forces who  
318 died while in service in time of war as defined in section 27-103.

319 (b) No fees or expenses shall be charged under sections 45a-106 to  
320 45a-112, inclusive, as amended by this act, or under section 45a-727 for  
321 adoption proceedings involving special needs children.

322 (c) If a petitioner or applicant to a court of probate claims that unless  
323 his or her obligation to pay the fees and the necessary [costs] expenses  
324 of the action, including the [cost] expense of service of process, is  
325 waived, such petitioner or applicant will be deprived by reason of his  
326 or her indigency of his or her right to bring a petition or application to  
327 such court or that he or she is otherwise unable to pay the fees and  
328 necessary [costs] expenses of the action, he or she may file with the  
329 clerk of such court of probate an application for waiver of payment of  
330 such fees and necessary [costs] expenses. Such application shall be  
331 signed under penalty of false statement, shall state the applicant's  
332 financial circumstances, and shall identify the fees and [costs] expenses  
333 sought to be waived and the approximate amount of each. If the court  
334 finds that the applicant is unable to pay such fees and [costs] expenses  
335 it shall order such fees and [costs] expenses waived. If such [costs]  
336 expenses include the [cost] expense of service of process, the court, in  
337 its order, shall indicate the method of service authorized and the [cost]  
338 expense of such service shall be paid from funds appropriated to the  
339 Judicial Department, [however] except that, if funds have not been  
340 included in the budget of the Judicial Department for such [costs]  
341 expenses, such [costs] expenses shall be paid from the Probate Court  
342 Administration Fund.

343 (d) The court may, in its discretion, postpone payment of any entry  
 344 fee or other [charge] fee or expense due under sections 45a-106 to  
 345 45a-112, inclusive, as amended by this act, and enter any matter if it  
 346 appears to the court that to require such entry fee or other fee or  
 347 expense to accompany submission of the matter would cause undue  
 348 delay or hardship, but in such case the applicant, petitioner or moving  
 349 party shall be liable for the entry fee and all other [charges] fees and  
 350 expenses upon receipt of an invoice therefor from the court of probate.

351 (e) Any fee or expense charged under the provisions of sections  
 352 45a-106 to 45a-112, inclusive, as amended by this act, shall not be  
 353 subject to the tax imposed under chapter 219.

354 Sec. 8. Section 45a-112 of the general statutes is repealed and the  
 355 following is substituted in lieu thereof (*Effective January 1, 2013*):

356 When the state or any of its agencies is an applicant, petitioner or  
 357 moving party commencing a matter in a court of probate, or is  
 358 otherwise liable for the [charges] fees or expenses under sections 45a-  
 359 106 to 45a-112, inclusive, as amended by this act, the court shall accept  
 360 such matter without the entry fee accompanying the filing thereof, and  
 361 shall bill the entry fee or other [charge] fee or expense to the  
 362 appropriate agency for subsequent payment, which payment shall be  
 363 due and payable upon receipt of such bill.

364 Sec. 9. Section 45a-107a of the general statutes is repealed. (*Effective*  
 365 *July 1, 2012*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2013</i>	45a-105
Sec. 2	<i>January 1, 2013</i>	45a-106
Sec. 3	<i>January 1, 2013</i>	45a-107
Sec. 4	<i>January 1, 2013</i>	45a-108
Sec. 5	<i>January 1, 2013</i>	45a-109
Sec. 6	<i>January 1, 2013</i>	45a-110

Sec. 7	<i>January 1, 2013</i>	45a-111
Sec. 8	<i>January 1, 2013</i>	45a-112
Sec. 9	<i>July 1, 2012</i>	Repealer section

***Statement of Purpose:***

To: (1) Revise the calculation of probate fees in matters where the state has a claim against an estate due to support provided or costs of incarceration or institutionalization, (2) eliminate the additional charge of twenty-five dollars for each additional hearing or hour of hearing, (3) specify the fee for providing a digital copy of an audio recording of a hearing, (4) make conforming changes regarding statutory references to costs, charges and fees, and (5) repeal a provision regarding the method for determining a gross estate for purposes of computing fees for the settlement of estates.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*